

STATE OF WISCONSIN

# Senate Journal

## Seventy-Seventh Session

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FRIDAY, July 23, 1965.

9:00 o'clock A.M.

The senate met.

The president pro tempore in the chair.

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Upon motion of Senator Zaborski, with unanimous consent, the first and second orders of business were dispensed with.

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Upon motion of Senator Zaborski, with unanimous consent, the senate proceeded to the sixth order of business.

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### PETITIONS AND COMMUNICATIONS

The State of Wisconsin  
Department of State  
Madison 53702

To the Honorable, the Senate:

Gentlemen: I have the honor to trasmit to you, pursuant to Section 13.67 (2), duplicate lists of the registered lobbyists for the period beginning July 13 and ending July 29, 1965.

Very truly yours,

ROBERT C. ZIMMERMAN,  
Secretary of State.

July 20, 1965.

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*Name, Address and Occupation of Lobbyist—Name and Address of Employer—Subject of Legislation—Date of Employment—Length of Time of Employment.*

Robert D. Sundby, Attorney, 110 East Main Street, Madison, Wisconsin—City of Elkhorn, Elkhorn, Wisconsin—Municipal Government—June 29, 1965—Session.

Robert D. Sundby, Attorney, 110 East Main Street, Madison, Wisconsin—Norman C. Herro & Associates, 110 East Main Street, Madison, Wisconsin—Bong Air Base—July 1, 1965—Session.

Thomas J. Bergen, Attorney, 152 West Wisconsin Avenue, Milwaukee, Wisconsin—Wisconsin Association of Nursing Homes, Incorporated, 152 West Wisconsin Avenue, Milwaukee, Wisconsin—Nursing Home Legislation—July 13, 1965—Session.

Harry F. Franke, Attorney, 660 East Mason Street, Milwaukee, Wisconsin—American Express Company, 65 Broadway, New York, New York—Bills Affecting American Express Company—June 29, 1965—Session.

Joseph F. Preloznik, Attorney, 6126 Hammersley Road, Madison, Wisconsin—Wisconsin Chapter of the American Institute of Architects, 3902 North Lovers Lane Road, Milwaukee, Wisconsin—Architects and Engineers—July 15, 1965—Session.

Ordered spread upon the journal pursuant to statutory requirement.

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Upon motion of Senator Rasmusen, with unanimous consent, the senate returned to the third order of business.

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### INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to Senate Bill 43 was offered by Senator Rasmusen.

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Upon motion of Senator Knowles, with unanimous consent, the senate proceeded to the seventh order of business.

# JOURNAL OF THE SENATE [July 23, 1965]

## COMMITTEE REPORTS

The committee on Education reports and recommends :

### Senate Bill 344

Adoption of amendment 1, S.; Ayes, 5; Noes, 0 and indefinite postponement; Ayes, 4; Noes, 1.

PETER P. CARR,  
Chairman.

The joint committee on Finance reports and recommends :

### Senate Bill 144

Adoption of amendment No. 1, S.; Ayes, 9; Noes, 1 and passage as amended; Ayes, 9; Noes, 1.

### Senate Bill 224

Adoption of amendment No. 1, S.; Ayes, 8; Noes, 3; adoption of amendment No. 2, S.; Ayes, 8; Noes, 3 and passage as amended; Ayes, 8; Noes, 3.

### Senate Bill 282

Adoption of amendment No. 1, S.; Ayes, 8; Noes, 0; adoption of amendment No. 2, S.; Ayes, 8; Noes, 0 and passage as amended; Ayes, 8; Noes, 0.

### Senate Bill 522

Adoption of amendment No. 1, S.; Ayes, 9; Noes, 1 and passage as amended; Ayes, 9; Noes, 1.

### Senate Bill 533

Rejection of amendment No. 1, S.; Ayes, 8; Noes, 3; adoption of amendment No. 2, S.; Ayes, 10; Noes, 0 and passage as amended; Ayes, 10; Noes, 0.

### Senate Bill 557

Adoption of amendment No. 1, S.; Ayes, 11; Noes, 0 and passage as amended; Ayes, 11; Noes, 0.

WALTER G. HOLLANDER,  
Senate Finance Chairman.

The reading at length of the foregoing committee report was dispensed with, upon motion of Senator Zaborski, with unanimous consent.

# JOURNAL OF THE SENATE [July 23, 1965]

## SPECIAL COMMITTEE REPORTS

The State of Wisconsin  
Legislative Council  
State Capitol  
Madison

Mr. William P. Nugent  
Senate Chief Clerk  
State Capitol  
Madison, Wisconsin

Dear Mr. Nugent: Pursuant to the authority granted by §13.057 of the statutes to report such suggestions as to the needs of the state institutions as are deemed proper, the Committee to Visit State Institutions submits its report to the 1965 Wisconsin legislature and the Governor.

Copies of this report have been made available to each member of the Senate and the Assembly.

Respectfully submitted,  
SENATOR CHESTER E. DEMPSEY,  
July 20, 1965. Committee Chairman.

Report of the Committee to Visit State Institutions to the  
1965 Wisconsin Legislature

Committee to Visit State Institutions

Officers

*Chairman*  
Chester E. Dempsey  
Hartland

*Vice-Chairman*  
Walter E. Terry  
Baraboo

*Secretary*  
Frank G. Dionesopulos\*  
Milwaukee

*Senate Members*

J. Earl Leverich  
Sparta

Richard J. Zaborski  
Milwaukee

*Assembly Members*

Harvey F. Gee  
Wisconsin Rapids

Harry L. Gessert  
Elkhart Lake

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\* Replaced in January, 1965, by Assemblyman Bruce S. Peloquin, Chippewa Falls.

## I. Introduction

The committee to visit state institutions exists by authority of §13.057, Wis. Stats. This section of the statutes specifies that the committee shall include 3 senators and 4 assemblymen, appointed as are the standing committees in the legislature. The committee has the duty "to visit state institutions either in groups or individually" and to "inspect buildings, equipment, lands and management of the institutions." The committee may examine "books, records and other information" which it may request. A report of its findings is to be made to the legislature.

To some extent the format of this report departs from previous visiting committee reports. Only a brief description of the physical conditions of buildings and grounds is included in this report, since those matters can be dealt with satisfactorily by the state building commission and the bureau of engineering. The bulk of this report constitutes a compilation of broad questions of policy considered by the committee. The committee believes that the legislature will find more useful a report which analyzes *program* at the institutions, rather than one which focuses principally on maintenance of physical plant.

A description of buildings and grounds at the state institutions is included in the reports of the committee to visit state institutions to the 1959 legislature and to the 1963 legislature. Copies of these 2 committee reports are on file in the offices of the legislative council and the legislative reference bureau.

The committee wishes to thank the staff of the legislative organization and procedure committee and the legislative council for assisting in the committee's work. In addition, the committee expresses its appreciation to department directors, superintendents of institutions and all personnel who cooperated in acquainting committee members with various aspects of state institutional programs and operations.

A list of the committee's visitations and meetings follows:

January 15, 1964	Organizational Meeting, Madison
January 22, 1964	Committee Meeting, Madison Wisconsin Diagnostic Center, Madison

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<b>January 23, 1964</b>	<b>Mendota State Hospital, Madison Children's Treatment Center, Madison Central Colony and Training School, Madison</b>
<b>February 12, 1964</b>	<b>School for the Visually Handicapped, Janesville School for the Deaf, Delavan</b>
<b>February 13, 1964</b>	<b>Walworth Pre-release Center, Williams Bay Southern Colony and Training School, Union Grove</b>
<b>February 25, 1964</b>	<b>School for Girls, Oregon School for Boys, Wales</b>
<b>March 18, 1964</b>	<b>Wisconsin Correctional Institution, Fox Lake Wisconsin State Prison, Waupun</b>
<b>March 19, 1964</b>	<b>Central State Hospital, Waupun Winnebago State Hospital, Winnebago</b>
<b>April 2, 1964</b>	<b>School for Boys, Kettle Moraine Home for Women, Taycheedah</b>
<b>May 20, 1964</b>	<b>Wisconsin State Reformatory, Green Bay Institution Farm, Oneida Brown County Mental Hospital, Green Bay</b>
<b>May 21, 1964</b>	<b>Wisconsin Veterans' Home, King</b>
<b>June 10, 1964</b>	<b>Northern Colony and Training School, Chippewa Falls</b>
<b>June 11, 1964</b>	<b>Black River Falls Juvenile Forestry Camp, Black River Falls Wisconsin Child Center, Sparta</b>
<b>August 13, 1964</b>	<b>Gordon Adult Forestry Camp, Gordon Lake Nancy Youth Camp, Washburn County Flambeau Adult Forestry Camp, Sawyer County</b>

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August 14, 1964      McNaughton Adult Forestry Camp,  
                                 Lake Tomahawk

November 5, 1964      Committee Meeting, Madison

June 23, 1965          Committee Meeting, Madison

### II. Committee Procedure

The purpose of the committee was discussed at length and particular attention was directed to determining what methods would be most appropriate and effective in carrying out this purpose. There was agreement on a number of recommendations which it is believed will maximize the value of the committee to the legislature.

Briefly, the committee believes that the major focus of the committee should be to assess institutional programs and, to the extent they are reflected therein, departmental policies. At the same time, it was noted that if a future committee wishes to comment on some salient feature of an institution's physical structure or condition of repair, it would be very appropriate to record such remarks in its final report. However, the committee emphasized that primary attention should be devoted to an examination of the institutional programs rather than to "brick and mortar considerations" because the latter can be adequately handled by the state building commission and the bureau of engineering.

To effectively evaluate institutional programs, the committee recommends that future committees arrange for an informational briefing by the committee staff before visiting an institution. This would enable committee members to better evaluate the efficiency and effectiveness with which an institution is serving the needs of the state.

Further, the committee recommends that the committee spend at least one day at each institution. In the past it has been a common practice for the visiting committee to tour 2, and sometimes as many as 3, institutions in one day. In order to make a comprehensive investigation and to arrive at a thorough understanding of the programs and operations of the various institutions, it was agreed that a considerable amount of time must be spent at each institution. In addition, a majority of the committee believes that it would be advantageous to visit an institution without giving prior notice of its visitation plans. Unannounced visits

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would enable the committee to view the institution under, as nearly as possible, "normal" operating conditions.

The committee believes that a valuable liaison purpose is served by the statutory requirement that a member of the building commission serve on the committee to visit state institutions. The committee recommends that the chairmen of the senate and assembly public welfare committees and the ranking minority member of each committee also serve on the visiting committee.

### III. General Observations

#### *A. Local Services as an Alternative to State Institutionalization.*

The committee favors the strengthening of local facilities and services for the infirm, the indigent, the mentally ill and the criminal offender. It views this development as a desirable and economical alternative to the use of state institutions and believes that the local units of government should play a major role in the care and treatment of such persons.

#### *B. Continued Use of Patient and Inmate Labor.*

The committee favors using patient and inmate labor at state correctional mental institutions. The committee recommends that persons at the mental hospitals perform only those tasks felt to be rehabilitative to the individual patient. It was noted that there is very little chance that some patients at the colonies will return to their communities. In several instances these individuals could perform routine maintenance tasks in the institution. The committee strongly urges that such use of patient labor should be continued. This practice reduces to some extent the number of paid staff required and also contributes to the patient's feeling of self-esteem.

The committee believes that inmates of correctional institutions should be required to do the routine maintenance work. The committee endorses the current pay schedule for inmate labor which is 35¢ a day inside the walls and 40¢ a day outside the walls for adult males and 10¢ a day for juveniles and adult females.



*C. Discipline and Supervision at the Correctional Institutions.*

Members of the committee believe there is a laxity in discipline exhibited at the juvenile correctional institutions. In the opinion of the committee, supervisory and disciplinary procedures at the penal institutions should encourage rehabilitation in a manner which fosters respect for law, order and society.

*D. University as Proper Focal Point for State-Supported Research.*

The committee views negatively the proliferation among various agencies of state-supported research activities in the fields of mental health, penology and related problems. It is the opinion of the committee that state-appropriated monies for such research should be centralized at the university of Wisconsin instead of being conducted by a number of welfare agencies and individual institutions. The trend towards diffusion of research responsibilities, the committee notes, has been developing in recent years. In the view of the committee, duplication of effort is less likely to occur if funds are channeled through one central instrumentality.

IV. Specific Recommendations

*A. Strengthening Local Classes for the Mentally Retarded.*

The committee recommends that county and district-operated classes for the mentally retarded be strengthened and increased as a method of alleviating over-crowded conditions at the state colonies. In the 1964-65 school year, there were 674 teacher units for the mentally retarded-educable and 74 teacher units for the mentally retarded-trainable. According to the department of public instruction, during the 1963-65 biennium special classes for the mentally retarded were serving approximately 11,275 out of a potential 18,600 retarded children in Wisconsin.

*B. Charge-back to County of Full Cost of Caring for Female Misdemeanants at Home for Women.*

The committee recommends that counties be charged the full per capita cost of caring for female misdemeanants sentenced to the home for women at Taycheedah under

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§959.045, Wis. Stats. That section provides that "a female person over 18 years of age convicted of a misdemeanor for which the maximum penalty is imprisonment for 6 months or more may be sentenced to a term not less than 6 months in the Wisconsin home for women instead of the county jail if the department certifies to the court that it has adequate facilities at said home and is willing to accept such commitment."

Under §53.41, Wis. Stats., a matron must be on duty 24 hours a day while any female prisoner resides in the county jail. Because of the expense involved, counties often find it convenient to take advantage of the statutory provision authorizing them to sentence female misdemeanants to Taycheedah. There is no charge to the counties for keeping these offenders at Taycheedah. At the time the committee visited the home for women, county misdemeanants comprised approximately 10% of the resident population. In April of 1965 the department of public welfare, for the first time, turned away a county misdemeanant because of a lack of space.

Members of the committee believe that counties should continue to be permitted to send misdemeanants to the home for women if space permits. However, the committee feels that the full per capita cost of maintaining the prisoner in the state institution should be charged back to the county.

### *C. Charge-back to County of Full Cost of Caring for Alcoholics at Mendota and Winnebago State Hospitals.*

The committee recommends that counties pay the full per capita cost of caring for alcoholics and drug addicts at Mendota and Winnebago state hospitals. At the present time the rate charged to counties for state care of alcoholics is \$5 per week. The same rate is charged to counties for the care of their residents at state mental institutions for both the mentally retarded and the mentally ill.

Committee members believe that a higher charge-back to the counties would discourage sending alcoholics to state institutions and would encourage the development of local treatment resources.

### *D. Phasing-out of the Wisconsin Diagnostic Center.*

It is the committee's opinion that the diagnostic center should not be continued as a separate operating facility.

The committee points out that the present program at the diagnostic center is a definite departure from the func-

tion of the center as originally conceived. The diagnostic center originally was intended to be a receiving station for persons committed to the department of public welfare and these persons were to receive a complete mental and physical examination at the center. It was believed that such an examination would assure individual placement in the appropriate departmental facility and would give departmental personnel an opportunity to suggest proper rehabilitation programs. Although the department of public welfare does refer some cases to the diagnostic center from the sex deviate program and from the field offices of the division for children and youth, the largest number of center patients now come from juvenile court referrals. The committee notes that each state welfare institution has its own medical and psychiatric staff.

The committee finds that the diagnostic center is operating considerably below potential patient capacity. When the institution opened, it had a capacity of 76 beds. The number of beds has since been reduced to 55. The center had its highest average daily population in 1959 with 40 patients, but this number has declined since that time to an average daily population of 29 in fiscal year 1964.

The committee finds very disquieting the cost to the state of this operation. Because of the large complement of highly-trained professional persons and the small number of patients in the institution, the per capita cost has been extremely high—averaging approximately \$23,000 in fiscal year 1964.

The committee recommends the phasing-out of the diagnostic center. It emphasizes that discontinuing the operation of the center does not mean the elimination of a needed service to the citizens of the state. In recent years there has been a significant development of local mental health services. Last year 75% of Wisconsin's population lived in counties with community mental health clinics. Mendota and Winnebago state hospitals, which serve the western and eastern halves of the state respectively, began last year a pre-admission diagnostic procedure for potential mental patients. With only a small addition to the staff, these 2 institutions would be capable of rendering to persons unable to procure these services locally the in-depth analyses that the diagnostic center presently provides.

Other functions of the diagnostic center also could be be obtained at existing facilities: (1) The diagnostic cen-

ter has expanded into the field of treatment as well as diagnosis for selected outpatients, who as a group reside within a limited radius of the center. However, the adult and child psychiatric clinics of the university hospitals in Madison, the Dane county guidance clinic and Mendota state hospital are available to area residents for outpatient treatment. (2) The diagnostic center has been used extensively as a training resource for university of Wisconsin students. Here again, there are excellent facilities for this training at alternative sites around Madison.

Thus, the committee is convinced that phasing out the diagnostic center would not, in fact, eliminate a public service; rather a costly duplication of services would be avoided.

*E. Careful Review of Walworth Pre-release Program.*

The pre-release program is for adult male inmates of correctional institutions who are shortly to be released on parole. Those who plan to live in the southern part of the state following release spend approximately 8 weeks at the pre-release center near Elkhorn, where they are enrolled in a program designed to prepare them for their soon-to-be-gained freedom. The pre-parolees attend classes 3 days a week and work 2 days on maintenance chores at the institution. The committee recommends that the legislature review carefully the record of this institution.

Prisoners to be released on parole to the northern part of the state participate in a pre-release program while still incarcerated at the prison in Waupun or reformatory at Green Bay. The department of public welfare has not issued comparative statistics on the parole records of those released via the Walworth center and those released otherwise. Unless there appears to be an appreciably lower return rate for those who have been at the Walworth county pre-release center, the committee questions the continued maintenance of a separate facility for that purpose.

Ordered spread upon the journal.

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Upon motion of Senator Knowles, the senate adjourned until 9:45 o'clock Tuesday morning, July 27, 1965.

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CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Bill 524**

Was correctly enrolled and presented to the Governor Friday at 8:45 A.M., July 23, 1965.

Correctional Note from Legislative Reference Bureau  
Relating to **Senate Bill 546**

Due to a typing error or poor photographic reproduction, we find that the following correction should be made in p. 1, line 4

Insert a comma after "support".